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PLEASE REPLY TO WEST ORANGE

April 10, 2008

Via ECF and Regular Mail (2 copies)

The Honorable Richard J. Holwell
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 1950
New York, NY 10007

Re: E*Trade Financial Corp., et al. v. Hernandez, et al.
No. 08 CV 2993 (RJH)

Dear Judge Holwell:

This firm represents defendant Banc of America Investment Services, Inc. ("BAI"). In response to Plaintiffs' Motion for Preliminary Injunctive Relief in Aid of Arbitration dated March 25, 2008, BAI opposes the motion and submits that there is no basis to grant plaintiffs' motion based upon the submissions by the parties.

Please contact us should the Court have any questions.

Respectfully submitted,

/s/ William E. Goydan
WILLIAM E. GOYDAN

Encls.
WEG:RDF:dd

WOLFF & SAMSON PC

The Honorable Richard J. Holwell

April 10, 2008

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